

PATENT
Attorney DN 02P1613

REMARKS

The Examiner has again made a double patenting rejection. The Examiner is directed to the Applicant's prior response where the Applicant stated:

"The Examiner has rejected the claims for double patenting. The Applicant has expressly abandoned the earlier application. This renders moot the double patenting matter."

The Applicant believes that all double patenting rejections are moot.

The Applicant has made an amendment to claim 1 to make it easier for the Examiner to distinguish the present invention from the Miller reference. Claim 1 now clearly shows that the protuberance is FORMED ON the clamp leg. The Applicant believes that the Examiner may have been reading claim 1 thinking that the protuberance mated with the clamp leg instead of being formed thereon.

The Examiner also appears to misread the Miller reference, which states at the bottom of column 3 and the top of column 4:

"The main body 114 and parts securely attached to it are preferably machined from austenitic stainless steel, or of some other strong, stain- and corrosion-resistant,

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non-magnetic metal. The needle cap is preferably machined from martensitic stainless steel, or from some other strong, stain- and corrosion-resistant magnetic (that is, capable of being attracted by a magnet) metal. The preference for steel or another metal is because, unlike plastic, it not only will not wear out or fatigue as quickly as plastic, but it also allows the needle guide to be autoclaved and sterilized.”

Miller does not teach, as the Examiner suggests, that the protuberance 220 separates from the clamp leg. Miller teaches using stainless steel so that it does not wear out or fatigue, and so that it can be autoclaved or sterilized for reuse. This is a clear teaching away from the claim limitations of the present invention.

When rejecting the claims for obviousness and anticipation, each and every limitation of the claim must be considered.

Each of the claims is limited much more than the Examiner opines. Each claim either contains limitations or detailed structure which are not taught by the reusable device of Miller. The Applicant wishes to stress that the reusable device taught by Miller is quite different from the present invention.

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The Applicant believes that when the Examiner fully considers all of these remarks, it will be clear that the claims are in condition for allowance.

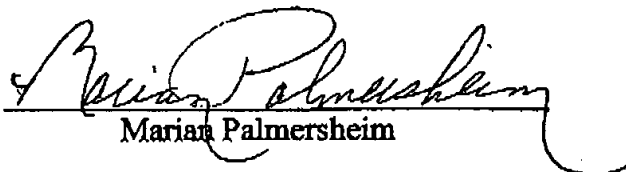
Respectfully submitted,

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